

JS-44 (Rev 12/07)

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON THE REVERSE OF THE FORM.)

**I. (a) PLAINTIFFS**

Quincey Norwood

**(b)** County of Residence of First Listed Plaintiff

Bucks County

(EXCEPT IN U.S. PLAINTIFF CASES)

**(c)** Attorneys (Firm Name, Address, and Telephone Number)Robert Scandone, Esquire  
1880 JFK Blvd., Suite 600  
Philadelphia, PA 19103**DEFENDANTS**

Premier Personal Care, Inc. and Lower Makefield Township

County of Residence of First Listed Defendant Bucks County  
(IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE LAND INVOLVED.

Attorneys (If Known)

Christopher Boyle, Esquire (610-354-8476)  
620 Freedom Business Center, Suite 300, King of Prussia, PA 19406  
Attorney for Lower Makefield Township**II. BASIS OF JURISDICTION** (Place an "X" in One Box Only)

- ☐ 1. U.S. Government Plaintiff  
☐ 2. U.S. Government Defendant
- ☒ 3. Federal Question (U.S. Government Not a Party)  
☐ 4. Diversity (Indicates Citizenship of Parties in Item III)

**III. CITIZENSHIP OF PRINCIPAL PARTIES** (Place An "X" in One Box for Plaintiff and One Box for Defendant)

- |                                         | PTF                        | DEF                        |                                                               | PTF                        | DEF                        |
|-----------------------------------------|----------------------------|----------------------------|---------------------------------------------------------------|----------------------------|----------------------------|
| Citizen of This State                   | x 1                        | X 1                        | Incorporated or Principal Place of Business in This State     | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 |
| Citizen of Another State                | <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | Incorporated and Principal Place of Business in Another State | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 |
| Citizen of Subject of a Foreign Country | <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | Foreign Nation                                                | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 |

**IV. NATURE OF SUIT** (Place an "X" in One Box Only)

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excl. Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits. <input type="checkbox"/> 160 Stockholder's Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 195 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <b>PERSONAL INJURY</b> <input type="checkbox"/> 362 Personal Injury - Med Malpractice <input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 610 Agriculture <input type="checkbox"/> 620 Other Food & Drug <input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 630 Liquor Laws <input type="checkbox"/> 640 R.R. & Truck <input type="checkbox"/> 650 Airline Regs <input type="checkbox"/> 660 Occupational Safety/Health <input type="checkbox"/> 690 Other <b>LABOR</b> <input type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Mgmt. Relations <input type="checkbox"/> 730 Labor/Mgmt. Reporting & Disclosure Act <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Empl. Ret. Inc. Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 426 Naturalization Application <input type="checkbox"/> 463 Habeas Corpus - Alien Detainee <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS - Third Party 26 USC 7609	<input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 810 Selective Service <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 875 Customer Challenge 12 USC 3410 <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 892 Economic Stabilization Act <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 894 Energy Allocation Act <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 900 Appeal of Fee Determination Under Equal Access to Justice <input type="checkbox"/> 950 Constitutionality of State Statutes
<b>REAL PROPERTY</b> <input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent, Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<b>CIVIL RIGHTS</b> <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing / Accommodations <input type="checkbox"/> 444 Welfare <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input checked="" type="checkbox"/> 440 Other Civil Rights	<b>PRISONER PETITIONS</b> <input type="checkbox"/> 510 Motions to Vacate Sentence <b>Habeas Corpus:</b> <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition		

**V. ORIGIN**

(Place an "X" in One Box Only)

- ☐ 1 Original Proceeding  
☒ 2 Removed from State Court  
☐ 3 Remanded from Appellate Court  
☐ 4 Reinstated or Reopened  
☐ 5 Transferred from another district  
☐ 6 Multidistrict Litigation  
☐ 7 Appeal to District Judge from Magistrate Judgment

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):

42 U.S.C. 1983 28 USC 1441

Brief description of cause:

Excessive Force

**VII. REQUESTED IN COMPLAINT:**☐ CHECK IF THIS IS A CLASS ACTION UNDER F.R.C.P. 23

DEMAND \$

CHECK YES only if demanded in complaint:  
JURY DEMAND: Yes No**VIII. RELATED CASE(S) IF ANY**

(See instructions)

JUDGE

N/A

DOCKET NUMBER

DATE

June 25, 2013

SIGNATURE OF ATTORNEY OF RECORD

## FOR OFFICE USE ONLY

RECEIPT #		AMOUNT		APPLYING IFP		JUDGE		MAG. JUDGE	

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**CASE MANAGEMENT TRACK DESIGNATION FORM**

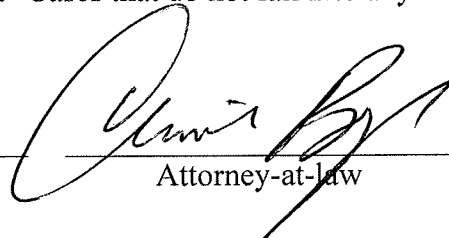
**Quincey Norwood** : **CIVIL ACTION**  
:  
:  
v. :  
:  
**Premier Personal Care, Inc. and Lower** :  
**Makefield Township** : **NO.**

In accordance with the Civil Justice Expense and Delay Reduction Plan of this court, counsel for plaintiff shall complete a Case Management Track Designation Form in all civil cases at the time of filing the complaint and serve a copy on all defendants. (See § 1:03 of the plan set forth on the reverse side of this form.) In the event that a defendant does not agree with the plaintiff regarding said designation, that defendant shall, with its first appearance, submit to the clerk of court and serve on the plaintiff and all other parties, a case management track designation form specifying the track to which that defendant believes the case should be assigned.

**SELECT ONE OF THE FOLLOWING CASE MANAGEMENT TRACKS:**

- (a) Habeas Corpus-Cases brought under 28 U.S.C. §2241through §2255. ( )
- (b) Social Security-Cases requesting review of a decision of the Secretary of Health and Human Services denying plaintiff Social Security Benefits. ( )
- (c) Arbitration-Cases require to be designated for arbitration under Local Civil Rule 53.2. ( )
- (d) Asbestos-Cases involving claims for personal injury or property damage from exposure to asbestos. ( )
- (e) Special Management-Cases that do not fall into tracks (a) through (d) that are commonly referred to as complex and that need special or intense management by the court. (See reverse side of this form for a detailed explanation of special management cases.) ( )
- (f) Standard Management--Cases that do not fall into any one of the other tracks. (X)

5/25/13  
Date

  
Attorney-at-law

Defendant, Lower  
Makefield Township  
Attorney for

(610) 354-8476  
Telephone

(610) 354-8299  
FAX Number

cpboyle@mdwgc.com  
E-Mail Address

## UNITED STATES DISTRICT COURT

**FOR THE EASTERN DISTRICT OF PENNSYLVANIA--DESIGNATION FORM** to be used by counsel to indicate the category of the case for the purpose of assignment to appropriate calendar.

Address of Plaintiff: 2 Radcliffe Road, Yardley, PA 19067

Address of Defendant: 1100 Edgewood Road, Yardley, PA 19067

Place of Accident, incident or Transaction

(Use Reverse Side For Additional Space)

Does this case involve multidistrict litigation possibilities?

Yes ☐

No ☒

*RELATED CASE IF ANY*

Case Number :

Judge

Date Terminated:

Civil cases are deemed related when yes is answered to any of the following questions:

- |    |                                                                                                                                                                                     |                              |                                        |
|----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|----------------------------------------|
| 1. | Is this case related to property included in an earlier numbered suit pending or within one year previously terminated action in this court?                                        | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 2. | Does this case involve the same issue of fact or grow out of the same transaction as a prior suit pending or within one year previously terminated action in this court?            | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |
| 3. | Does this case involve the validity or infringement of a patent already in suit or any earlier numbered case pending or within one year previously terminated action in this court? | Yes <input type="checkbox"/> | No <input checked="" type="checkbox"/> |

**CIVIL: (Place 4in ONE CATEGORY ONLY)**

*A. Federal Question Cases:*

1. ☐ Indemnity Contract, Marine Contract, and All Other Contracts
2. ☐ FELA
3. ☐ Jones Act--Personal Injury
4. ☐ Antitrust
5. ☐ Patent
6. ☐ Labor
7. ☒ Civil Rights
8. ☐ Habeas Corpus
9. ☐ Securities Act(s) Cases  
(Please specify)
10. ☐ Social Security Review Cases
11. ☐ All other Federal Questions Cases  
(please specify)

*B. Diversity Jurisdiction Cases:*

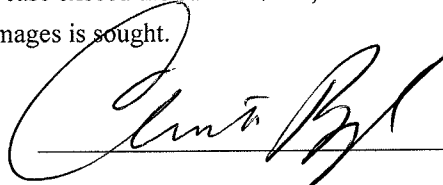
1. ☐ Insurance Contract and Other Contracts
2. ☐ Airplane Personal Injury
3. ☐ Assault, Defamation
4. ☐ Marine Personal Injury
5. ☐ Motor Vehicle Personal Injury
6. ☐ Other Personal Injury (Please specify)
7. ☐ Products Liability
8. ☐ Products Liability--Asbestos
9. ☐ All other Diversity Cases  
(Please specify)

**ARBITRATION CERTIFICATION**

*(Check appropriate category)*

- I, Christopher Boyle, Esquire of record do hereby certify:
- ☒ Pursuant to Local Civil Rule 8, Section 4(a)(2), that to the best of my knowledge and belief, the alleged damages recoverable in this civil action case exceed the sum of \$150,000 exclusive of interest and cost;
- ☐ Relief other than monetary damages is sought.

DATE: 6/25/13

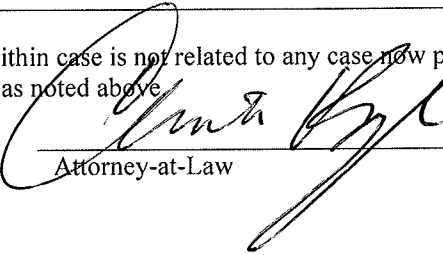


93002

**NOTE:** A trial de novo will be a trial by jury only if there has been compliance with F.R.C.P.38.

I certify that, to my knowledge, the within case is ~~not~~ related to any case now pending or within one year previously terminated action in this court except as noted above.

DATE: 6/25/13

  
Attorney-at-Law

93002

Attorney I.D. #

04108-00516 26/2283726.v1

**MARSHALL DENNEHEY WARNER  
COLEMAN & GOGGIN**

**BY:** Christopher Boyle, Esquire

ID# 93002

620 Freedom Business Center, Suite 300

King of Prussia, PA 19406

(610) 354-8476

**Jury Trial Demanded by Defendant**

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**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Quincey Norwood

v.

Premier Personal Care, Inc. and  
Lower Makefield Township

: Civil Action No.

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**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA**

Quincey Norwood

v.

Premier Personal Care, Inc. and  
Lower Makefield Township

: Civil Action No. 2013-04218

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**NOTICE OF REMOVAL**

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA:

Defendant, Lower Makefield Township, by and through its undersigned counsel,  
Marshall Dennehey Warner Coleman & Goggin and Christopher Boyle, Esquire, hereby remove  
the above-captioned matter to this Honorable Court and provide notice of same to the Plaintiff.  
In support of the removal, Defendant avers:

1. Plaintiff instituted this action by filing a Complaint in the Court of Common Pleas of Bucks County on or about June 5, 2013. (A copy of Plaintiff's Complaint is attached hereto as Exhibit "A").

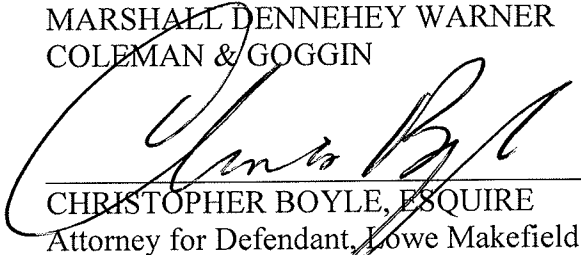
2. Plaintiff served the Complaint on defendant thereafter.

3. Plaintiff's Complaint avers a cause of action pursuant to 42 U.S.C. §1983 as well as pendent state tort claims.

4. The above-described Civil Action is one in which this Honorable Court has original jurisdiction pursuant to 28 U.S.C. §1331 based upon the fact that Plaintiff's Complaint avers a cause of action arising out of Federal law, and thereby raising a Federal question. This case, therefore, should be removed to this Honorable Court by notice pursuant to 28 U.S.C. §1441.

WHEREFORE, Defendant respectfully request the above-captioned action currently pending in the Court of Common Pleas of Bucks County, be removed to this Honorable Court.

MARSHALL DENNEHEY WARNER  
COLEMAN & GOGGIN

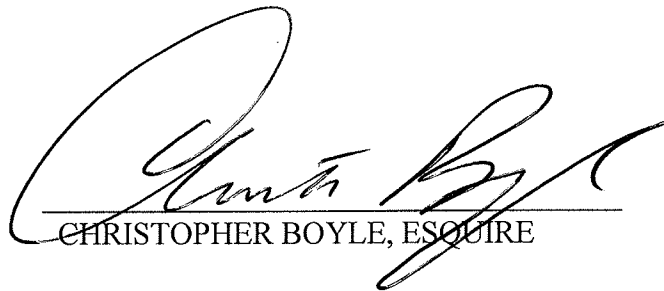


CHRISTOPHER BOYLE, ESQUIRE  
Attorney for Defendant, Lowe Makefield Twp.

DATE: 6-25-13

**VERIFICATION**

CHRISTOPHER BOYLE, ESQUIRE, hereby states that he is attorney for Defendant, Lower Makefield Township, herein and verifies that the statements made in the foregoing Notice of Removal are true and correct to the best of his knowledge, information, and belief. The undersigned understands that the statements therein are made subject to the penalties of 18 Pa. C.S. section 4904 relating to unsworn falsification to authorities.



CHRISTOPHER BOYLE, ESQUIRE

DATED: 6-25-13



**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

Quincey Norwood

v.

Premier Personal Care, Inc. and  
Lower Makefield Township

: Civil Action No.  
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**IN THE COURT OF COMMON PLEAS OF BUCKS COUNTY, PENNSYLVANIA**

Quincey Norwood

v.

Premier Personal Care, Inc. and  
Lower Makefield Township

: Civil Action No. 2013-04218  
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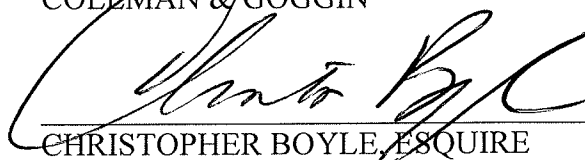
**CERTIFICATE OF SERVICE**

I, Christopher Boyle, Esquire, do hereby certify that a true and correct copy of Defendant, Lower Makefield Township's Notice of Removal was served upon all parties by first class mail on the below listed date at the following address:

Robert Scandone, Esquire  
1880 JFK Blvd., Suite 600  
Philadelphia, PA 19103

Premier Personal Care, Inc.  
333 Oxford Valley Road, Suite 102  
Fairless Hills, PA 19030

MARSHALL, DENNEHEY, WARNER,  
COLEMAN & GOGGIN



CHRISTOPHER BOYLE, ESQUIRE

Attorney for Defendant, Lower Makefield Twp.

DATE: 6-25-13